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BREEDERS & SEEDERS

IT ALL BEGINS WITH THE PLANT

2019 will undoubtedly go down as the year hemp surpassed Cannabis. The signing of the farm bill unleashed those sitting on the sidelines and now Big Money has jumped in with both feet. The sheer number of farmers with hemp licences for Summer 2019 is in the tens of thousands.

The shift is from Cannabis grown for THC to hemp grown for CBD. While both marijuana and industrial hemp are cannabis sativa L., there's a huge difference between the two in the marketplace. Let's start with seeds. After all, we're talking about plants. And with hemp in 2019, we're talking about thousands of acres of hemp waving in the breeze.

We're beginning to see our favorite plant grown on farms rather than in gardens, grown by the ton on tractors filling barns.

In the old days, Cannabis seeds were sold in ten packs for a hundred bucks. This business model doesn't work for farmers for several reasons, and no one buys ten packs to grow acres.

Cannabis or hemp - when it's grown on large indoor farms or especially outdoors - means bulk seeds like corn, wheat or soybeans. Farmers buy seeds by the pound (approximately 25,000 hemp seeds/pound averaging \$5,000/pound).

Farmers who've grown for the CBD market want female flowers from Mary Janes, not Mary Johns. They want feminized seeds not realizing that a feminization isn't 100% perfect, and that a handful of errant male plants or hermaphrodites will spread pollen. Not only aren't there enough feminized seeds to supply the market, many breeders aren't necessarily eager to feminize seeds. Some feel it's not quite right on an intimate, spiritual level in relation to the plant. The demand for feminized seeds will grow as long as CBD production is profitable.

Lastly, there's the issue of genetic diversity versus uniformity.

Historically, Cannabis breeders deliberately included diversity in any given ten pack. The idea is that you'll pheno hunt - picking out the individuals that work best for you. Genetic diversity was a bonus, not a problem. Big farmers want the same thing from plant to plant, row to row, year after year.

We can agree that moving forward, breeders' n'seeders need to develop cultivars that grow uniformly season to season, are ideally fine tuned to specific growing conditions, and each with their own unique terroir. What grows well in Oregon may underperform in South Carolina. Farmers from Maine to North Michigan need early flowering cultivars in order to beat early frosts. Field tests across the country and around the world are beginning to address these issues.

THE CANNABIS BREEDER'S RIGHTS IS AN ATTEMPT TO CONVEY THE BREEDER'S WISHES REGARDING PROPAGATION, COMMERCIALIZATION AND ATTRIBUTION. THERE ARE 22 DESIGNATIONS THAT ENCOMPASS THE VARIOUS SCENARIOS, SOME OF WHICH ARE UNIQUE ENOUGH TO HEMP AND CANNABIS THAT THE EXISTING OPEN SOURCE SEED SCHEMAS DONT WORK.

propagation rights
more restrictive →
← less restrictive

Cannabis Breeder's Rights v2.0			
classification	propagation	commerce	attribute
CBR: N	no propagation allowed	N/A	N/A
CBR: L	per license agreement	per license agreement	per license agreement
CBR: C-I	cloning allowed	in-house use only	N/A
CBR: C-C-C	cloning allowed	commercial sales	credit given
CBR: C-C-N	cloning allowed	commercial sales	no credit given
CBR: C-F-C	cloning allowed	free distribution	credit given
CBR: C-F-N	cloning allowed	free distribution	no credit given
CBR: S-I	seed production allowed	in-house use only	N/A
CBR: S-C-C	seed production allowed	commercial sales	credit given
CBR: S-C-N	seed production allowed	commercial sales	no credit given
CBR: S-F-C	seed production allowed	free distribution	credit given
CBR: S-F-N	seed production allowed	free distribution	no credit given
CBR: B-I	breeding allowed	in-house use only	N/A
CBR: B-C-C	breeding allowed	commercial sales	credit given
CBR: B-C-N	breeding allowed	commercial sales	no credit given
CBR: B-F-C	breeding allowed	free distribution	credit given
CBR: B-F-N	breeding allowed	free distribution	no credit given
CBR: P-I	no propagation restrictions*	in-house use only	N/A
CBR: P-C-C	no propagation restrictions*	commercial sales	credit given
CBR: P-C-N	no propagation restrictions*	commercial sales	no credit given
CBR: P-F-C	no propagation restrictions*	free distribution	credit given
CBR: P-F-N	no propagation restrictions*	free distribution	no credit given

* clones, seeds, breeding, grafting, tissue culture & anything else that works, present or future.

LeBlancCNE.com/cannabis-breeders-rights

grow & harvest only
custom licensing agreement
not publicly released
commercial nurseries
commercial nurseries
free as in beer
free as in beer
non-feminized seeds
non-feminized seeds
non-feminized seeds
non-feminized seeds
not publicly released
\$
\$\$ because the brand itself is worth something
free as in beer
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Breeders have success amidst their failures and false starts. Breeding takes time. How will breeders get rewarded for creating new and better cultivars? How will the pricing model scale as hemp cultivation explodes?

Looking even further ahead, how will cloning, micropropagation and tissue culture impact the industry? How closely will hemp and Cannabis mirror corn, wheat, tomatoes and other agricultural crops?

Will the established Big Ag companies come to dominate hemp and Cannabis genetics, or will the existing pioneers grow to become industry leaders too? In the old days, when you bought a pack of beans, gear, or seeds, you got to do with it as you pleased.

No breeder wants you to grow a seed crop of your own for resale. Use it to jumpstart your own breeding project, adding value to the Cannabis gene pool for everyone to enjoy? That's not only OK, but heartily encouraged. Fast forwarding to today, is it fair to spend one or two hundred dollars, and grow it out to acres upon acres without compensation to the original breeder'n'seeder?

Exactly what rights and obligations accompany the genetics you acquire? To date, there's been no consensus or way for a customer to know exactly what they can and can't do with the seeds they purchased. Having this brought to my attention by DJ Short, I volunteered to explore a licensing model akin to Creative Commons.

The Cannabis Breeder's Rights is an attempt to convey the breeder's wishes regarding propagation, commercialization and attribution. There are 22 designations that encompass the various scenarios, some of which are unique enough to hemp and Cannabis that the existing open source seed schemas don't work.

No, there's no enforcement component, nor is there any attempt to comply with existing plant patents or other legal constructs. No lawyers need be involved. Before you say alternative licensing frameworks can't survive in today's capitalist context, remember that the internet runs on Linux and Linux is distributed under a copyleft license (GNU General Public License).

Coming from 30+ years in software, to me Creative Commons compared to Cannabis Breeder's Rights simply swaps 1's and 0's for DNA. It's all intellectual property (IP) either way, and IP can be licensed as well as sold. The Cannabis Breeder's Rights establishes a standardized framework for hemp & Cannabis genetics to be licensed, hopefully in ways that gives advantages to our beloved breeder's n'seeders who make all of this possible for us to enjoy. It all begins with the plant.